

Regular Session, 2011

HOUSE BILL NO. 234

BY REPRESENTATIVE TEMPLET

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ALCOHOLIC BEVERAGES: Authorizes the use of telecommunication and video conferencing at ATC hearings

1 AN ACT

2 To enact R.S. 26:99.1, 296.1, and 919.1, relative to the regulation of alcohol and tobacco  
3 products; to authorize participation at hearings through the use of  
4 telecommunications equipment; to provide for rulemaking authority; and to provide  
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:99.1, 296.1, and 919.1 are hereby enacted to read as follows:

8 §99.1. Participation in hearing by video conference

9 To the extent practicable, the commissioner may authorize the use of  
10 teleconference, video link, or other visual remote communications technology for the  
11 conducting of any hearing as authorized by this Chapter. Prior to utilizing such  
12 technology, the commissioner shall adopt rules pursuant to the provisions of the  
13 Administrative Procedure Act to provide for the methods and requirements of  
14 utilizing teleconference, video link, or other visual remote communications  
15 technology for conducting any hearings authorized by the provisions of this Chapter.

16 \* \* \*

17 §296.1. Participation in hearing by video conference

18 To the extent practicable, the commissioner may authorize the use of  
19 teleconference, video link, or other visual remote communications technology for the

1 conducting of any hearing as authorized by this Chapter. Prior to utilizing such  
2 technology, the commissioner shall adopt rules pursuant to the provisions of the  
3 Administrative Procedure Act to provide for the methods and requirements of  
4 utilizing teleconference, video link, or other visual remote communications  
5 technology for conducting any hearings authorized by the provisions of this Chapter.

6 \* \* \*

7 §919.1. Participation in hearing by video conference

8 To the extent practicable, the commissioner may authorize the use of  
9 teleconference, video link, or other visual remote communications technology for the  
10 conducting of any hearing as authorized by this Chapter. Prior to utilizing such  
11 technology, the commissioner shall adopt rules pursuant to the provisions of the  
12 Administrative Procedure Act to provide for the methods and requirements of  
13 utilizing teleconference, video link, or other visual remote communications  
14 technology for conducting any hearings authorized by the provisions of this Chapter.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Templet

HB No. 234

**Abstract:** Authorizes the use of video conferencing at ATC hearings.

Present law provides for the regulation of alcoholic beverages and tobacco products and provides for the issuance of permits to sell those products.

Proposed law retains present law.

Present law provides for administrative hearings regarding alcohol and tobacco permits.

Proposed law retains present law and authorizes the commissioner to use telecommunications equipment for the conducting of hearings.

Proposed law provides that prior to utilizing such technology, the commissioner shall adopt rules pursuant to the provisions of the APA to provide for the methods and requirements of utilizing teleconference, video link, or other visual remote communications technology for conducting hearings.

(Adds R.S. 26:99.1, 296.1, and 919.1)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Added requirement that commissioner adopt rules prior to utilizing teleconference, video link, or other visual remote communications for conducting hearings.
2. Deleted proposed law provisions specifying that agents or employees are not required to be physically present.